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OFFICE OF PETITIONS

In re Application of Tsao et al. :
Application No. 10/722,008 :
Filing Date: November 25, 2003 :
Attorney Docket No. LP/V-32800/A :

Decision on Petition

This is a decision on the petition under 37 CFR 1.181, filed September 18, 2006, to withdraw the holding of abandonment.

The petition is **granted**.

The Office mailed a non-final Office action on January 4, 2006.

Petitioner mailed a response in compliance with 37 CFR 1.8(a) on July 5, 2006, along with a request for a three-month extension of time. The reply was timely since the prior day, July 4, 2006, was a federal holiday. The reply was physically received by the Office on July 10, 2006.

Prior to the reply being matched with the file, the examiner mailed a Notice of Abandonment on July 12, 2006. The Notice of Abandonment states a reply was never filed in reply to the non-final Office action.

Petitioner has shown a reply was timely filed. Therefore, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

Technology Center Art Unit 1751 will be informed of the instant decision and the examiner will consider the merits of the petition filed July 10, 2006, in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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